

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-7530

WILLIAM JACKSON NICHOLSON,

Petitioner - Appellant,

versus

COLIE L. RUSHTON, Warden; CHARLES M. CONDON,
South Carolina Attorney General,

Respondents - Appellees.

Appeal from the United States District Court for the District of
South Carolina, at Charleston. Dennis W. Shedd, District Judge.
(CA-01-3318-9-19BG)

Submitted: February 20, 2003

Decided: February 26, 2003

Before LUTTIG, MOTZ, and GREGORY, Circuit Judges.

Dismissed by unpublished per curiam opinion.

William Jackson Nicholson, Appellant Pro Se. Donald John Zelenka,
Chief Deputy Attorney General, Samuel Creighton Waters, OFFICE OF
THE ATTORNEY GENERAL OF SOUTH CAROLINA, Columbia, South Carolina,
for Appellees.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

William Jackson Nicholson seeks to appeal the district court's order accepting the recommendation of the magistrate judge and denying relief on his petition filed under 28 U.S.C. § 2254 (2000). We have reviewed the record and conclude for the reasons stated by the district court that Nicholson has not made a substantial showing of the denial of a constitutional right. See Nicholson v. Rushton, No. CA-01-3318-9-19BG (D.S.C. Oct. 1, 2002). Accordingly, we deny a certificate of appealability and dismiss the appeal. See 28 U.S.C. § 2253(c) (2000). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED